IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

Crl.Rev.Pet.No. 423 of 2006

CRA.41/2003 of ADDL. SESSIONS COURT (FAST TRACK COURT NO.II), PALAKKAD
CC.156/1998 of JUDL.MAGISTRATE OF FIRST CLASS COURT, OTTAPPALAM

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REVN. PETITIONER: APPELLANT/ACCUSED

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1. RADHAKRISHNAN, S/O.KANNAN,
   AMMATHODIPARAMBU, KANNIYAMPURAM P.O.,
   OTTAPALAM.

2. M.RADHAKRISHNAN,
   S/O.RAMAN @ KUNJIKKANNAN,
   AMMOTHODIPARAMBU, KANNIYAMPURAM.

3. A.RAMAN @ KUNJIKKANNAN, S/O.KANNAN,
   AMMOTHODIPARAMBU, KANNIYAMPURAM.

4. A.P.ANANTHAKRISHNAN, S/O.KUNCHAN,
   AMMOTHODIPARAMBU-

5. B.MANOJ, S/O.SETHURAMAN,
   PATHANGALIL HOUSE, KANNIYAMPURA,
   OTTAPALAM.

6. A.BALAN, S/O.APPU,
   ANAKKAD HOUSE, KANNIYAMPURAM.

7. K.P.MOHANAN, S/O.AYYAPPAN,
   KALATHUPARAMBU, KANNIYAMPURAM, OTTAPALAM.
8. K.P. VIJAYAN, S/O. RAMAN,
   KALATHUPARAMBU.

9. M.K. GOPALAN, S/O. KITTU
   MECHERIYIL HOUSE.

10. RADHAKRISHNAN @ RADHA,
    PADIKKALPARAMBU HOUSE
    KANNIYAMPURAM, OTTAPPALAM.

BY ADV. SRI.P.VIJAYA BHANU
SRI.P.M.RAFIQ

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROECUTOR, HIGH COURT OF KERALA,
ERNKAULAM.

BY ADV. SMT.DAISY THAMPI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.A. NO. 1213/2006

DISMISSED.

7-6-2007 SD/-K.R.UDAYABHANU, JUDGE

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.423 of 2006

DATED THIS THE 7TH JUNE 2007

ORDER

The revision petitioners stand convicted for the offence under Sections 143, 147, 427, 447 read with Section 149 I.P.C. and sentenced to undergo rigorous imprisonment for one year each for the offence under Section 427 read with Section 149 I.P.C. to undergo rigorous imprisonment for a period of three months each for the offence under Section 143 I.P.C. and rigorous imprisonment for one month each for the offence under Section 447 read with Section 149 I.P.C. Counsel for the revision petitioners has filed a compounding petition seeking to compound the offences. The same is signed by the de facto complainant, his counsel and the revision petitioners. Of course, the offence under Sections 447 and 427 are compoundable and the same shall stand compounded and the accused are acquitted for the above offences. But so far as the offences under Sections 143 and 147 I.P.C. are concerned, the same are not compoundable.

In the circumstances, the sentence imposed for the offence under Section 143 is reduced to a fine of Rs.200/- each and in default to undergo simple imprisonment for two weeks. No separate sentence

is awarded for the offence under Section 147 I.P.C. The Crl.revision petition is allowed in part.

K.R.UDAYABHANU, JUDGE

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